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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, listen to our cries for help. Guide our lawmakers, empowering them to act with integrity. Lord, give them wisdom to test their motives as they become more aware of Your mercy. Keep them from drowning in shallow water. Inspire them to resolve to cultivate an unwavering trust in the unfolding of Your prevailing providence.

Lord, we thank You that Your mercies are new each day. Great is Your faithfulness.

And, Lord, we continue to pray for Ukraine.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 6, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. LUJÁN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Ketanji Brown Jackson, of the District of Columbia, to be an Associate Justice of the Supreme Court of the United States.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### NOMINATION OF KETANJI BROWN JACKSON

Mr. MCCONNELL. Mr. President, yesterday, I explained how Democrats created the current norms around judicial appointments.

These days, the Senate takes an assertive role. In particular, most Senators do not merely check resumes and basic legal qualifications but also look into judicial philosophy.

This is a discussion Republicans welcomed because judicial philosophy is not a routine policy disagreement, like debates over spending or tax rates or

energy. These are the sorts of normal policy differences that our system of government is built to handle.

But if judges misunderstand the judicial role, that damages the system itself.

Our genius Founding Fathers set up three branches of government. Two of them get to make policy. Congress writes and passes laws, Presidents sign or veto them, and they are both accountable through frequent elections.

The third branch responsibilities are completely and totally different. The courts exist not to rewrite laws but to apply them as written; to protect every American's right to the consistent, impartial rule of law. So the judiciary is insulated and independent.

Republicans want to uphold the separation of powers the Framers left us. We want judges to honor their limited role in our Republic, stick to the text, rule impartially, and leave policymaking to policymakers. And then we want those judges to have total freedom from political threats and bullying.

The political left has long held exactly the opposite. They believe the Framers got the judicial role wrong. They want the Supreme Court to be another forum where progressives can pursue policy outcomes and social changes.

When liberals fail to convince 218 House Members and 60 Senators of a position, they want to cross the street and try to persuade five lawyers instead. They want judges going beyond the text, roaming through policy questions and moral judgements.

So this is a huge difference. It has consequences for American families on issues from crime to border security, to religious liberty, and to the health of our institutions.

So the key question for the Senate is this: Where does Judge Jackson come down? Where does her record land along this spectrum?

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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